

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CARLETUS WILLIAMS, #206039,

Plaintiff,

v.

CASE NO. 2:10-CV-11129  
HONORABLE LAWRENCE P. ZATKOFF

PATRICIA CARUSO, ET AL.,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION [DKT #18]**

Before the Court is Plaintiff's "Motion to Have Defendant Stop Aggregating this Court's Order to Remit Prisoner Funds with Oakland County Circuit Court's Order to Remit Prisoner Funds Because it Violates 42 USC 1915 and the Oakland County Circuit Court's Order to Remit Prisoner Funds from the Plaintiff's Prisoner Account" regarding his 2010 civil rights action under 42 U.S.C. § 1983. The Court granted Plaintiff's application to proceed without prepayment of costs and fees, allowing him to pay the full filing fee in installments. The Court summarily dismissed his complaint for failure to state a claim upon which relief may be granted. The Sixth Circuit affirmed the Court's decision.

Under the Prison Litigation Reform Act ("PLRA"), a prisoner who qualifies to proceed *in forma pauperis* in a civil rights action is liable for the \$350.00 civil action filing fee and must pay the fee through partial payments as outlined in 28 U.S.C. § 1915(b). The PLRA requires an indigent prisoner to pay an initial payment of 20% of the greater of the prisoner's average balance or the average deposits for the preceding six months. The prisoner is then required to pay monthly installments of 20% of the income credited to his or her account in the previous month until the

whole filing fee is paid. The documents attached to Plaintiff's motion do not show that this procedure has been violated. The fact that Plaintiff may have state court fees or costs to pay is of no consequence as this Court is bound to follow the procedure set forth in the federal statute. Moreover, this Court lacks the authority to regulate the state courts' collection of fees and costs. Plaintiff's motion is therefore **DENIED**.

**IT IS SO ORDERED.**

S/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: August 15, 2013